

REMARKS

In the Office Action mailed January 25, 2005, the Examiner noted that claims 1-8 were pending, and rejected claims 1-8. Claims 1-8 remain pending for reconsideration which is requested. The Examiner's rejections are traversed below.

Pages 2 and 8 of the Office Action reject claims 1-8 under 35 U.S.C. § 103 over various combinations of Agrawal, Bakalash and Makus. Makus has an effective date as prior art of October 9, 2000. In contrast, the present invention has a filing date of May 19, 2000 due to the request for priority benefit of Japanese application 2000-148956. A copy of a verified translation of JP 2000-148956 is attached hereto. It is requested that the above-identified application be given benefit of the filing date of May 19, 2000. This date is prior to the effective date of Makus. Makus is not prior art to the above-identified application. As a result, the rejections of the claims on the basis of Makus is defective and a prima facie case of obviousness has not been made out. It is submitted that the claims distinguishes over the prior art and withdrawal of the rejection is requested.


It is submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

If any further fees, other than and except for the issue fee, are necessary with respect to this paper, the U.S.P.T.O. is requested to obtain the same from deposit account number 19-3935.

Respectfully submitted,

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Date: 4/25/5

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